

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 01-3155

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Brian A. Glick,

Appellant,

v.

Cooperative Benefit Administrators,  
Inc.,

Appellee.

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\* Appeal from the United States  
\* District Court for the  
\* Northern District of Iowa.  
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\* [UNPUBLISHED]  
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Submitted: May 14, 2002

Filed: June 5, 2002

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Before BOWMAN, LOKEN, and BYE, Circuit Judges.

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PER CURIAM.

Brian A. Glick brought an action under ERISA to recover benefits under a long-term disability benefits plan administered by the defendant, Cooperative Benefit Administrators (CBA). The District Court granted summary judgment to CBA. Glick appeals.

For reversal and remand, Glick argues that CBA's decision to deny Glick's claim for long-term disability benefits violated CBA's fiduciary obligations to fairly and accurately evaluate his claim and constituted an abuse of discretion. We

disagree. Having reviewed the record in light of Glick's arguments in this appeal, we are satisfied the District Court correctly applied the abuse-of-discretion standard of review and accurately determined that in opposing CBA's motion for summary judgment Glick had failed to generate a material issue of disputed fact. We reject Glick's argument (which arguably he did not properly preserve) that the administrative record in this case should be supplemented by the record of the Social Security Administration (SSA) in a hearing conducted some two years after the CBA Appeals Committee denied Glick's claim for benefits. The SSA record is a different record from the record upon which the CBA made its decision and could not properly have any bearing on our review of that decision.

After conducting de novo review of the District Court's decision granting summary judgment to CBA, we adopt as our own the reasoning set forth in the District Court's thorough and carefully considered opinion. The judgment of the District Court is affirmed. See 8th Cir. R. 47B.

A true copy.

Attest:

CLERK, U.S. COURT OF APPEALS, EIGHTH CIRCUIT.